

APPEAL

**U.S. Bankruptcy Court
Eastern District of New York (Central Islip)
Adversary Proceeding #: 8-20-08049-ast**

Assigned to: Judge Alan S. Trust

Date Filed: 03/13/20

Lead BK Case: [18-71748](#)

Lead BK Title: Orion Healthcorp, Inc. and Allied World

National Assurance Co.

Lead BK Chapter: 11

Demand: \$4020000

Nature[s] of Suit: 12 Recovery of money/property - 547 preference
13 Recovery of money/property - 548 fraudulent transfer
14 Recovery of money/property - other

Plaintiff

**Howard M Ehrenberg, in his capacity as
Liquidating Trustee of Orion Healthcorp,
Inc., et al**

represented by **Jeffrey P Nolan**
Pachulski Stang Ziehl & Jones LLP
780 Third Avenue
34th Floor
New York, NY 10017
310-772-2313
Fax : 310-201-0760
Email: jnolan@pszjlaw.com

Jeffrey Norlan
Pachulski Stang Ziehl & Jones LLP
780 Third Avenue
34th Floor
New York, NY 10017
LEAD ATTORNEY

Ilan D Scharf
Pachulski Stang Ziehl & Jones LLP
780 Third Avenue
36th Floor
New York, NY 10017
(212) 561-7721
Fax : (212) 561-7777
Email: ischarf@pszyjw.com
LEAD ATTORNEY

V.

Defendant

Arvind Walia

represented by **Paris Gyparakis**

Porzio, Bromberg & Newman, P.C.
1675 Broadway, Ste 1810
New York, NY 10019
212-265-6888
Fax : 212-957-3983
Email: pgyparakis@pbnlaw.com

Sanford P Rosen

Rosen & Associates, P.C.
747 Third Avenue
New York, NY 10017-2803
(212) 223-1100
Fax : (212) 223-1102
Email: srosen@rosenpc.com

Eugene Ronald Scheiman

The Law Office of Eugene R. Scheiman
570 Lexington Avenue
Ste 1600
New York, NY 10022
212-594-7563
Email: eugene.scheiman@scheimanlaw.com

Defendant

Niknim Management Inc.

represented by **Paris Gyparakis**

(See above for address)

Sanford P Rosen

(See above for address)

Eugene Ronald Scheiman

(See above for address)

Filing Date	#	Docket Text
03/13/2020	<u>1</u>	Adversary case 8-20-08049. Complaint by Howard M. Ehrenberg in his capacity as Liquidating Trustee of Orion Healthcorp, Inc., et al against Arvind Walia, Niknim Management Inc.. Fee Amount \$350. Nature(s) of Suit: (12 (Recovery of money/property - 547 preference)), (13 (Recovery of money/property - 548 fraudulent transfer)), (14 (Recovery of money/property - other)). (Attachments: # <u>1</u> Exhibit A # <u>2</u> Exhibit B # <u>3</u> Adversary Cover Sheet) (Scharf, Ilan) (Entered: 03/13/2020)

03/14/2020		Receipt of Complaint(8-20-08049-ast) [cmp,cmp] (350.00) Filing Fee. Receipt number 19084631. Fee amount 350.00. (re: Doc# 1) (U.S. Treasury) (Entered: 03/14/2020)
03/16/2020	2	Summons In An Adversary Proceeding Issued by Clerk's Office against Arvind Walia Answer Due: 4/15/2020; Niknim Management Inc. Answer Due: 4/15/2020 (ssw) (Entered: 03/16/2020)
04/30/2020	3	Summons Served on Arvind Walia 3/16/2020; Niknim Management Inc. 3/16/2020 . (Nolan, Jeffrey) (Entered: 04/30/2020)
06/05/2020	4	Notice of Proposed Stipulation By and Between Howard M. Ehrenberg in his capacity as liquidating trustee of Orion Healthcorp, Inc., et al. and Arvind Walia and Niknim Management, Inc. to Extend Time to Answer Complaint Filed by Arvind Walia, Niknim Management Inc.. (Attachments: # 1 Proposed Order) (Gyparakis, Paris) (Entered: 06/05/2020)
06/11/2020	5	Order Extending Time for Defendant Arvind Walia to File Answer. Answer Due 6/17/2020; Niknim Management Inc. to File Answer. Answer Due 6/17/2020. Signed on 6/11/2020 (Attachments: # 1 Exhibit) (ssw) (Entered: 06/11/2020)
06/17/2020	6	Answer to Complaint Filed by Paris Gyparakis on behalf of Arvind Walia, Niknim Management Inc. (Gyparakis, Paris) (Entered: 06/17/2020)
06/22/2020	7	Initial Adversary Scheduling Order Parties are ordered to attend a conference under FRBP 7026f on or before August 21, 2020. Signed on 6/22/2020 Joint Discovery Control Plan due by 9/8/2020. Statement Pursuant to FRBP 7008a due by 9/8/2020. Pre-Trial Conference set for 9/21/2020 at 11:00 AM at Courtroom 960 (Judge Trust), CI, NY. (jaf) (Entered: 06/22/2020)
06/24/2020	8	BNC Certificate of Mailing with Application/Notice/Order Notice Date 06/24/2020. (Admin.) (Entered: 06/25/2020)
06/25/2020	9	Affidavit/Certificate of Service Filed by Paris Gyparakis on behalf of Arvind Walia, Niknim Management Inc. (RE: related document(s) 6 Answer to Complaint filed by Defendant Arvind Walia, Defendant Niknim Management Inc.) (Gyparakis, Paris) (Entered: 06/25/2020)
09/08/2020	10	Notice of Submission of Proposed Order Filed by Howard M Ehrenberg (related document(s) 7). (Nolan, Jeffrey) (Entered: 09/08/2020)
09/16/2020	11	Letter Providing Notice of Court Hearing Filed by Mark T Power on behalf of Howard M Ehrenberg (RE: related document(s) 7 Initial Adversary Scheduling Order (Judge Trust Cases Only)) Hearing scheduled for 10/15/2020 at 09:30 AM at Courtroom 960 (Judge Trust), CI, NY. (Power, Mark) (Entered: 09/16/2020)
09/21/2020		Adjourned Without Hearing Pre-Trial Conference set for 10/15/2020 at 09:30 AM at Courtroom 960 (Judge Trust), CI, NY. (ymm) (Entered: 09/22/2020)
10/13/2020	12	Statement / Agenda for October 15, 2020 Hearing Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (Nolan, Jeffrey) (Entered: 10/13/2020)

10/15/2020		Hearing Held and Adjourned; Appearance(s): Jeff Nolan; Pre-Trial Conference set for 01/21/2021 at 10:00 AM at Courtroom 960 (Judge Trust), CI, NY. (ymm) (Entered: 10/16/2020)
10/15/2020	13	Amended Order for Admission to Practice Pro Hac Vice. The admitted attorney, Jeffrey P. Nolan, is permitted to argue or try this particular case, as well as the related adversary proceedings listed on Schedule I attached to the Motion, in whole or in part as counsel. The admitted attorney may, enter appearances for parties, sign stipulations, receive payments upon judgments, decrees or orders, and otherwise serve as counsel in this case, as well as the related adversary proceedings listed on Schedule I attached to the Motion. Signed on 10/15/2020 (amp) see Amended Motion #857 and Order #870 on main case 18-71748-ast. (Entered: 10/16/2020)
10/23/2020	14	Order and Notice of Adjournment of the Pre-Trial Conference has been adjourned for January 21, 20201 at 10:00 a.m. (prevailing Eastern time) . (RE: related document(s) 1 Complaint filed by Plaintiff Howard M Ehrenberg, 7 Initial Adversary Scheduling Order (Judge Trust Cases Only)). Signed on 10/23/2020Hearing scheduled for 1/21/2021 at 10:00 AM at Courtroom 960 (Judge Trust), CI, NY. (ssw) (Entered: 10/23/2020)
10/25/2020	15	BNC Certificate of Mailing with Application/Notice/Order Notice Date 10/25/2020. (Admin.) (Entered: 10/26/2020)
01/21/2021		Hearing Held and Adjourned; Jeff Nolan and Sanford Rosen; Pre-Trial Conference set for 05/18/2021 at 02:00 PM at Courtroom 960 (Judge Trust), CI, NY. (ymm) (Entered: 01/21/2021)
01/25/2021	16	Letter of Adjournment: Hearing rescheduled from January 21, 2021 at 10:00 a.m. (ET) to May 18, 2021 at 2:00 p.m. (ET) Filed by Howard M Ehrenberg (related document(s)). (Nolan, Jeffrey) (Entered: 01/25/2021)
04/22/2021	17	Letter of Adjournment: Hearing rescheduled from May 18, 2021 at 2:00pm to May 26, 2021 at 10:00am Filed by Howard M Ehrenberg (related document(s) 16). (Nolan, Jeffrey) (Entered: 04/22/2021)
05/18/2021		Adjourned Without Hearing Pre-Trial Conference set for 05/26/2021 at 10:00 AM at Courtroom 960 (Judge Trust), CI, NY.(RE: related document(s) 1 Complaint Filed by Plaintiff Howard M Ehrenberg) (ymm) (Entered: 05/18/2021)
05/21/2021	18	Notice of Proposed Stipulation By and Between Howard Ehrenberg, in his capacity as Liquidating Trustee of Orion Healthcare, Inc. and Arvind Walia and NIKNIM Management, Inc. to / RE FILING OF FIRST AMENDED COMPLAINT; AND ENTERING OF SCHEDULING ORDER Filed by Howard M Ehrenberg (related document(s) 1). (Nolan, Jeffrey) (Entered: 05/21/2021)
05/21/2021	19	Notice of Proposed Stipulation By and Between Howard Ehrenberg, in his capacity as Liquidating Trustee of Orion Healthcare, Inc. and Arvind Walia and NIKNIM Management, Inc. to / AMENDED NOTICE OF PROPOSED STIPULATION RE FILING OF FIRST AMENDED COMPLAINT; AND ENTERING OF SCHEDULING ORDER Filed by Howard M Ehrenberg (related document(s) 18 , 1). (Nolan, Jeffrey) (Entered: 05/21/2021)

05/26/2021	20	Stipulation and Order by and between Plaintiff Howard M Ehrenberg and Defendants Arvind Walia and Niknim Management Inc. refile of First Amended Complaint and entering of Scheduling Order (RE: related document(s) 1 Complaint filed by Plaintiff Howard M Ehrenberg). Defendant has twenty days from service to file an answer to the First Amended Complaint. Initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) shall be completed no later than fourteen (14) days from the date of this Order. All fact discovery shall be completed no later than September 20, 2021. All expert discovery shall be completed no later than November 30, 2021. and No later than September 30, 2021(i) the party bearing the burden of proof on any issue shall make all disclosures and (ii) all rebuttal or responsive expert reports and other disclosures shall be made no later than thirty (30) days thereafter. If the parties desire and agree to mediate their dispute(s) at any time during pendency of this adversary proceeding, they shall jointly file a stipulation (the Stipulation) with the Court. The Court will adjourn the Pre-trial Conference to August 5, 2021, at 2:00 P.M. which time the Court may set the trial date and deadline to file the Joint Pretrial Order. This ORDER may not be modified or the dates herein extended, except by further Order of this Court for good cause shown. Any application to modify or extend any deadline established by this Order shall be made in a written application no less than five (5) days prior to the expiration of the date sought to be extended. 19 Notice of Proposed Stipulation filed by Plaintiff Howard M Ehrenberg). Signed on 5/26/2021. Pre Trial Hearing scheduled for 8/5/2021 at 02:00 PM at Courtroom 960 (Judge Trust), CI, NY. (ssw) (Entered: 05/26/2021)
05/26/2021	21	Incorrect event docketed ; Attorney to refile with correct event - Exhibit / (CORRECTED) First Amended Complaint For Avoidance and Recovery of: (1) Fraudulent Transfers;(2) Preferential Transfers; (3) Recovery of Avoided Transfers; and (4) Objection to Claim No. 1067 Pursuant to 11 U.S.C. §§ 502, 544, 547 548 and 550 Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (RE: related document(s) 1 Complaint filed by Plaintiff Howard M Ehrenberg, 18 Notice of Proposed Stipulation filed by Plaintiff Howard M Ehrenberg, 19 Notice of Proposed Stipulation filed by Plaintiff Howard M Ehrenberg, 20 Order to Schedule Hearing (Generic)) (Nolan, Jeffrey) Modified on 5/27/2021 (ssw). (Entered: 05/26/2021)
05/26/2021		Adjourned Without Hearing Pre-Trial Conference set for 08/05/2021 at 02:00 PM at Courtroom 960 (Judge Trust), CI, NY. (ymm) (Entered: 05/27/2021)
05/28/2021	22	Amended Complaint Demand Amount by Jeffrey P Nolan on behalf of Howard M Ehrenberg against Howard M Ehrenberg.(RE: related document(s) 1 Complaint filed by Plaintiff Howard M Ehrenberg, 20 Order to Schedule Hearing (Generic)) (Attachments: # 1 Adversary Cover Sheet) (Nolan, Jeffrey) (Entered: 05/28/2021)
06/09/2021	23	Answer to Complaint /Answer to First Amended Complaint and Affirmative Defenses Filed by Sanford P Rosen on behalf of Arvind Walia, Niknim Management Inc. (Rosen, Sanford) (Entered: 06/09/2021)
06/10/2021	24	Affidavit/Certificate of Service Filed by Paris Gyparakis on behalf of Arvind Walia, Niknim Management Inc. (RE: related document(s) 23 Answer to Complaint filed by Defendant Arvind Walia, Defendant Niknim Management Inc.) (Gyparakis, Paris) (Entered: 06/10/2021)
08/03/2021	25	Statement / Agenda For August 5, 2021 Hearing Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (Nolan, Jeffrey) (Entered: 08/03/2021)

08/05/2021		Adjourned Without Hearing Pre-Trial Conference set for 11/16/2021 at 02:00 PM at Courtroom 960 (Judge Trust), CI, NY.(RE: related document(s) 7 Initial Adversary Scheduling Order (Judge Trust Cases Only)) (ymm) (Entered: 08/05/2021)
09/21/2021	26	Notice of Proposed Stipulation By and Between Plaintiff Howard M. Ehrenberg, in his capacity of Liquidating Trustee of Orion Healthcorp, Inc., et al and Arvind Walia to Amend Case Management and Discovery Plan Filed by Howard M Ehrenberg (related document(s) 20). (Nolan, Jeffrey) (Entered: 09/21/2021)
10/05/2021	27	Stipulation by and between Plaintiff and defendant Arvind Walia and Niknim Management Inc. Requesting Amendment to Case Management and Discovery Plann. All written and fact discovery between the Parties shall be completed no later thanDecember 30, 2021, and dates under the case management order continued from the new fact cut-off date accordingly. The Pretrial Conference is adjourned to January 26, 2022 at 2:00 p.m. (EST). Signed on 10/5/2021. (Entered: 10/05/2021)
11/12/2021	28	Statement / <i>Agenda For November 16, 2021 Hearing</i> Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (Nolan, Jeffrey) (Entered: 11/12/2021)
11/16/2021		Adjourned Without Hearing Pre-Trial Conference set for 01/26/2022 at 02:00 PM at Courtroom 960 (Judge Trust), CI, NY. (ymm) (Entered: 11/18/2021)
12/22/2021	29	Order Related to Use of the Zoom Virtual Platform for Hearing. A Hearing or Conference is set for January 26,2022 , commencing at 2 pm in Courtroom 960 United States Bankruptcy Court, Central Islip, NY. As to any witness that is an agent or employee of any party, the party proffering such testimony must file and exchange an affidavit of direct testimony sworn or otherwise verified by the witness (not by the proffering attorney) by no later than January 19, 2022 at 4:00 P.M. (Eastern). Hearing may be accessed as follows: https://www.zoomgov.com/j/1619682621?pwd=LzYvN3c4UmFacEdnK1F6WVlmTGpaUT09 , Meeting ID: 161 968 2621Passcode: 6277, One tap mobile,+16692545252,1619682621# US (San Jose).+16468287666,,1619682621# US (New York),Dial by your location+1 669 254 5252 US (San Jose)+1 646 828 7666 US (New York)+1 669 216 1590 US (San Jose)+1 551 285 1373 US Meeting ID: 161 968 2621. (RE: related document(s) 27 Scheduling Order). Signed on 12/22/2021 (ssw) (Entered: 12/22/2021)
12/24/2021	30	BNC Certificate of Mailing with Application/Notice/Order Notice Date 12/24/2021. (Admin.) (Entered: 12/25/2021)
01/25/2022	31	Notice of Proposed Stipulation By and Between Plaintiff, Howard Ehrenberg, in his capacity as Liquidating Trustee of Orion Healthcare, Inc. and Defendants Arvind Walia and Niknim Management, Inc. to / Stipulation to Attend Mediation and Toll Remaining Deadlines Filed by Howard M Ehrenberg. (Nolan, Jeffrey) (Entered: 01/25/2022)
01/25/2022	32	Statement / <i>Agenda for January 26, 2022 Hearing</i> Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (Nolan, Jeffrey) (Entered: 01/25/2022)
01/26/2022		Hearing Held and Adjourned; Appearance(s) Jeff Nolan and Sanford Rosen. Pre-Trial Conference set for 05/11/2022 at 02:00 PM at Courtroom 960 (Judge Trust), CI, NY. LETTER OF ADJOURNMENT TO BE FILED (ymm) (Entered: 01/26/2022)

		01/27/2022)
01/28/2022	33	Letter of Adjournment: Hearing rescheduled from January 26, 2022 at 2:00 p.m. to May 11, 2022 at 2:00 p.m. Filed by Howard M Ehrenberg (related document(s)). (Nolan, Jeffrey) (Entered: 01/28/2022)
03/07/2022	34	Stipulation and Order by and between Plaintiff and Defendant To Attend Mediation And Toll Remaining Deadlines. The Parties desire to attend mediation within the next 30 days and to toll any remaining deadlines under the Scheduling Order and Amendment to Case Management and Discovery Plan until the conclusion of attending mediation. Pursuant to the Scheduling Order and Amendment to Case Management and Discovery Plan, the Parties may attend mediation at any time during the pendency of the adversary and shall jointly file a stipulation to attend mediation with the Court. The Parties have agreed to address the issues in this Adversary Proceeding to the Honorable Gerald Rosen, Ret. as the mediator, but have not yet determined his availability or cleared conflicts. To the extent he is not available, the Parties will move promptly to select another mediator. Mediation will be attended via zoom and the parties will split the fees and costs for mediation equally. The Parties will advise the Court within ten (10) days following competition, of the progress or outcome of the mediation. (RE: related document(s) 31 Notice of Proposed Stipulation filed by Plaintiff Howard M Ehrenberg). Signed on 3/7/2022 (ssw). (Entered: 03/07/2022)
03/22/2022	35	Letter of Adjournment: Hearing rescheduled from May 11, 2022 at 2:00 p.m. to May 25, 2022 at 2:00 p.m. Filed by Howard M Ehrenberg (related document(s) 33). (Nolan, Jeffrey) (Entered: 03/22/2022)
05/11/2022		Adjourned Without Hearing Pre-Trial Conference set for 05/25/2022 at 02:00 PM at Courtroom 960 (Judge Trust), CI, NY. (ymm) (Entered: 05/11/2022)
05/25/2022		Hearing Held and Adjourned; Appearances: Sanford P Rosen, Jeffrey P Nolan. Pre-Trial Conference set for 09/14/2022 at 02:00 PM at Courtroom 960 (Judge Trust), CI, NY. LETTER OF ADJOURNMENT TO BE FILED (ymm) (Entered: 05/25/2022)
05/26/2022	36	Letter of Adjournment: Hearing rescheduled from May 25, 2022 at 2:00 p.m. to September 14, 2022 at 2:00 p.m. Filed by Howard M Ehrenberg (related document(s)). (Nolan, Jeffrey) (Entered: 05/26/2022)
07/15/2022	37	Letter to the Honorable Alan S. Trust Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (Nolan, Jeffrey) (Entered: 07/15/2022)
07/29/2022	38	Declaration Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (RE: related document(s) 20 Order to Schedule Hearing (Generic), 31 Notice of Proposed Stipulation filed by Plaintiff Howard M Ehrenberg, 34 Stipulation and Order) (Attachments: # 1 Exhibit A - Stipulation and Scheduling Order # 2 Exhibit B - Stipulation to Attend Mediation) (Nolan, Jeffrey) (Entered: 07/29/2022)
07/29/2022	39	Notice of Submission of Proposed Order To Complete Expert Discovery Filed by Howard M Ehrenberg (related document(s) 38). (Nolan, Jeffrey) Modified on 8/1/2022 (ssw). (Entered: 07/29/2022)

08/01/2022	40	Declaration of Sanford P. Rosen with Respect to the Status of the Litigation and the Filing of Plaintiffs Proposed Order to Complete Remaining Expert Discovery and in Response to the Declaration of Jeffrey P. Nolan Submitted in Support of the Order Filed by Sanford P. Rosen on behalf of Arvind Walia (RE: related document(s) 38 Declaration filed by Plaintiff Howard M Ehrenberg) (Rosen, Sanford) (Entered: 08/01/2022)
08/03/2022	41	Letter to the Honorable Alan S. Trust Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (RE: related document(s) 38 Declaration filed by Plaintiff Howard M Ehrenberg, 40 Response filed by Defendant Arvind Walia) (Nolan, Jeffrey) (Entered: 08/03/2022)
08/15/2022	42	Order Granting to complete expert discovery. Parties they were unable to successfully resolve the litigation at mediation, the tolling of remaining deadlines as outlined in the Stipulation To Attend Mediation and Toll Remaining Deadlines (Dkt No. 31) is hereby terminated and the deadlines set forth under the Case Management and Discovery Plan (Dkt No. 10) solely with respect to concluding remaining expert discovery. No later than thirty (30) days from the issuance of this Order, all rebuttal or responsive expert reports and other disclosures required under Fed. R. Civ. P. 26 (a)(2) shall be made including the service of any expert report(s). All expert discovery shall be completed no later than sixty (60) days from the issuance of this Order. (RE: related document(s) 10 and 39 Notice of Submission of Proposed Order filed by Plaintiff Howard M Ehrenberg). Signed on 8/15/2022 (ssw) (Entered: 08/15/2022)
08/17/2022	43	BNC Certificate of Mailing with Application/Notice/Order Notice Date 08/17/2022. (Admin.) (Entered: 08/18/2022)
09/12/2022	44	Letter of Adjournment: Hearing rescheduled from September 14, 2022 at 2:00 p.m. to October 19, 2022 at 10:00 a.m. Filed by Howard M Ehrenberg (related document(s) 36). (Nolan, Jeffrey) (Entered: 09/12/2022)
09/14/2022		Adjourned Without Hearing Pre-Trial Conference set for 10/19/2022 at 10:00 AM at Courtroom 960 (Judge Trust), CI, NY. (ymm) (Entered: 09/19/2022)
10/14/2022	45	Letter <i>Requesting Pre-Motion Conference</i> Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (Nolan, Jeffrey) (Entered: 10/14/2022)
10/19/2022		Hearing Held and Adjourned; Appearances: Sanford P. Rosen, Jeffrey P. Nolan, Eugene Scheiman. Pre-Trial Conference (control date) set for 01/11/2023 at 12:00 PM at Courtroom 960 (Judge Trust), CI, NY. MOTION FOR SUMMARY JUDGMENT TO BE FILED W/IN 90 DAYS (ymm) (Entered: 10/24/2022)
11/13/2022	46	Notice of Appearance and Request for Notice Filed by Eugene Ronald Scheiman on behalf of Arvind Walia (Scheiman, Eugene) (Entered: 11/13/2022)
11/14/2022	47	Notice of Appearance and Request for Notice Filed by Eugene Ronald Scheiman on behalf of Niknim Management Inc. (Scheiman, Eugene) (Entered: 11/14/2022)

11/15/2022	48	Notice of Proposed Stipulation By and Between Plaintiff, Howard Ehrenberg, in his capacity as Liquidating Trustee of Orion Healthcare, Inc. and Defendants Arvind Walia and Niknim Management, Inc. to Briefing Schedule For Summary Judgment Motions Filed by Howard M Ehrenberg (related document(s)). (Nolan, Jeffrey) (Entered: 11/15/2022)
11/30/2022	49	Stipulation For Scheduling Order Re: Briefing Schedule For Summary Judgment Motions and Order Thereon by and between Plaintiff, Defendants (RE: related document(s) 48 Notice of Proposed Stipulation filed by Plaintiff Howard M Ehrenberg). On or before January 18, 2023, any party may move for summary judgment, or alternatively summary adjudication. On or before February 22, 2023, any Opposition shall be filed. On or before March 8, 2023, any Reply brief shall be filed. Signed on 11/30/2022 (ylr) (Entered: 11/30/2022)
01/10/2023	50	Letter of Adjournment: Hearing rescheduled from January 11, 2023 at 12:00 p.m. to March 22, 2023 at 12:00 p.m. Filed by Howard M Ehrenberg (related document(s)). (Nolan, Jeffrey) (Entered: 01/10/2023)
01/11/2023		Adjourned Without Hearing Pre-Trial Conference set for 03/22/2023 at 12:00 PM at Courtroom 960 (Judge Trust), CI, NY. (ymm) (Entered: 01/13/2023)
01/18/2023	51	Motion For Summary Judgment Filed by Eugene Ronald Scheiman, Sanford P Rosen on behalf of Arvind Walia. (Attachments: # 1 Exhibit A-Amended Complaint # 2 Exhibit B-Answer # 3 Exhibit C-Statement of Undisputed Facts # 4 Exhibit D-Proposed Order) (Rosen, Sanford) (Entered: 01/18/2023)
01/18/2023	52	Motion For Summary Judgment <i>Defendants' Notice of Motion for Partial Summary Judgment</i> Filed by Eugene Ronald Scheiman, Sanford P Rosen on behalf of Arvind Walia. (Rosen, Sanford) (Entered: 01/18/2023)
01/18/2023	53	Motion For Summary Judgment <i>or in the Alternative, Summary Adjudication as Against Defendants Arvind Walia and Niknim Management, Inc.</i> . Objections to be filed on February 22, 2023. Hearing on Objections, if any, will be held on: TBD. Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg. (Nolan, Jeffrey) (Entered: 01/18/2023)
01/18/2023	54	Statement of Undisputed Facts / <i>Joint Statement of Uncontroverted Facts in Support of Plaintiff's Motion for Summary Judgment or, in the Alternative, Summary Adjudication; Plaintiff's Additional Statement of Facts</i> Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (Nolan, Jeffrey) (Entered: 01/18/2023)
01/18/2023	55	Affidavit in Support / <i>Affidavit of Jeffrey P. Nolan in Support of Motion for Summary Judgment, or in the Alternative, Summary Adjudication as Against Defendants Arvind Walia and Niknim Management, Inc.</i> Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (RE: related document(s) 53 Motion for Summary Judgment filed by Plaintiff Howard M Ehrenberg) (Attachments: # 1 Exhibit 1 - Walia Deposition Excerpts # 2 Exhibit 2 - Plaintiff's First RFP # 3 Exhibit 3 - Defendant's Response to First RFP # 4 Exhibit 4 - April 15, 2016 Email # 5 Exhibit 5 - Membership Interests Purchase Agreement # 6 Exhibit Produced Docs (REDACTED) # 7 Exhibit 7 - Proposed Order) (Nolan, Jeffrey) (Entered: 01/18/2023)

01/18/2023	56	Affidavit in Support / <i>Affidavit of Edith Wong in Support of Motion for Summary Judgment, or in the Alternative, Summary Adjudication as Against Defendants Arvind Walia and Niknim Management, Inc.</i> Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (RE: related document(s) 53 Motion for Summary Judgment filed by Plaintiff Howard M Ehrenberg) (Attachments: # 1 Exhibit A - February 2016 Bank Statement # 2 Exhibit B - August 2016 Bank Statement # 3 Exhibit C - March 2017 Bank Statement # 4 Exhibit D - December 1, 2014 Email # 5 Exhibit E - February 20, 2015 Letter (REDACTED) # 6 Exhibit F - Asset Purchase Agreement # 7 Exhibit G - Disbursement Authorization and Itemization (REDACTED) # 8 Exhibit H - May 17, 2017 Email # 9 Exhibit I - May 18, 2017 Email chain # 10 Exhibit J - May 31, 2017 Email chain # 11 Exhibit K - May 31, 2017 Email # 12 Exhibit L - May 31, 2017 Email # 13 Exhibit M - June 15, 2017 Email # 14 Exhibit N - June 19, 2017 Email) (Nolan, Jeffrey) (Entered: 01/18/2023)
01/18/2023	57	Affidavit in Support / <i>Affidavit of Frank A. Lazzara in Support of Motion for Summary Judgment, or in the Alternative, Summary Adjudication</i> Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (RE: related document(s) 53 Motion for Summary Judgment filed by Plaintiff Howard M Ehrenberg) (Attachments: # 1 Exhibit 1 - September 27, 2017 Email # 2 Exhibit 2 - 2014 Consolidated Financial Statement # 3 Exhibit 3 - Disbursement Authorization and Itemization (REDACTED) # 4 Exhibit 4 - Schedule) (Nolan, Jeffrey) (Entered: 01/18/2023)
01/18/2023	58	Statement / <i>Request for Judicial Notice in Support of Plaintiff's Motion for Summary Judgment, or in the Alternative, Summary Adjudication as Against Defendants Arvind Walia and Niknim Management, Inc.</i> Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (RE: related document(s) 53 Motion for Summary Judgment filed by Plaintiff Howard M Ehrenberg) (Attachments: # 1 Exhibit 1 - Constellation Admission Application # 2 Exhibit 2 - Walia POC 10141 # 3 Exhibit 3 - State Court Summons, Complaint, Judgment) (Nolan, Jeffrey) (Entered: 01/18/2023)
01/19/2023	59	Affidavit/Certificate of Service Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (RE: related document(s) 53 Motion for Summary Judgment filed by Plaintiff Howard M Ehrenberg, 54 Statement of Undisputed Facts filed by Plaintiff Howard M Ehrenberg, 55 Affidavit in Support filed by Plaintiff Howard M Ehrenberg, 56 Affidavit in Support filed by Plaintiff Howard M Ehrenberg, 57 Affidavit in Support filed by Plaintiff Howard M Ehrenberg, 58 Statement filed by Plaintiff Howard M Ehrenberg) (Nolan, Jeffrey) (Entered: 01/19/2023)
02/22/2023	60	Objection / <i>Opposition to Motion of Defendants Arvind Walia and Niknim Management Inc. for Partial Summary Judgment Dismissing Claims Asserted in the Complaint Under 11 U.S.C. §544</i> Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (RE: related document(s) 51 Motion for Summary Judgment filed by Defendant Arvind Walia, 52 Motion for Summary Judgment filed by Defendant Arvind Walia) (Nolan, Jeffrey) (Entered: 02/22/2023)
02/22/2023	61	Response / <i>Plaintiff's Response to Defendants' Separate Statement of Facts and Plaintiff's Additional Facts in Opposition to Defendants' Motion for Summary Judgment or, in the Alternative, Summary Adjudication</i> Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (RE: related document(s) 51 Motion for Summary Judgment filed by Defendant Arvind Walia) (Nolan, Jeffrey) (Entered: 02/22/2023)

02/22/2023	62	Affidavit in Support / <i>Affidavit of Jeffrey P. Nolan in Support of Opposition to Motion of Defendants Arvind Walia and Niknim Management, Inc. for Partial Summary Judgment Dismissing Claims Asserted in the Complaint Under 11 U.S.C. §544</i> Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (RE: related document(s) 60 Objection filed by Plaintiff Howard M Ehrenberg) (Attachments: # 1 Exhibit 8 - McBride POC # 2 Exhibit 9 - Schedule 10 # 3 Exhibit 10_Pt 1 - BofA Credit Agreement # 4 Exhibit 10_Pt 2 - BofA Credit Agreement # 5 Exhibit 10_Pt 3 - BofA Credit Agreement # 6 Exhibit 11_Pt 1 - Third Amended Plan # 7 Exhibit 11_Pt 2 - Third Amended Plan) (Nolan, Jeffrey) (Entered: 02/22/2023)
02/23/2023	63	Affidavit/Certificate of Service Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (RE: related document(s) 60 Objection filed by Plaintiff Howard M Ehrenberg, 61 Response filed by Plaintiff Howard M Ehrenberg, 62 Affidavit in Support filed by Plaintiff Howard M Ehrenberg) (Nolan, Jeffrey) (Entered: 02/23/2023)
02/24/2023	64	Motion For Summary Judgment <i>Affidavit of Arvind Walia in Opposition to Plaintiff's Motion for Summary Judgment</i> Filed by Eugene Ronald Scheiman, Sanford P Rosen on behalf of Arvind Walia. (Rosen, Sanford) (Entered: 02/24/2023)
02/24/2023	65	Motion For Summary Judgment <i>Brief of Defendants in Opposition to Motion for Summary Judgment</i> Filed by Eugene Ronald Scheiman, Sanford P Rosen on behalf of Arvind Walia. (Rosen, Sanford) (Entered: 02/24/2023)
02/24/2023	66	Opposition Motion For Summary Judgment <i>Affirmation of Sanford P. Rosen in Opposition to Motion for Summary Judgment</i> Filed by Eugene Ronald Scheiman, Sanford P Rosen on behalf of Arvind Walia. (Rosen, Sanford) (Entered: 02/24/2023)
03/02/2023	67	Affidavit in Opposition of <i>Arvind Walia to Plaintiff's Motion for Summary Judgment</i> Filed by Eugene Ronald Scheiman, Sanford P Rosen on behalf of Arvind Walia (RE: related document(s) 53 Motion for Summary Judgment filed by Plaintiff Howard M Ehrenberg) (Rosen, Sanford) (Entered: 03/02/2023)
03/02/2023	68	Memorandum of Law in Opposition to <i>Plaintiff's Motion for Summary Judgment</i> Filed by Eugene Ronald Scheiman, Sanford P Rosen on behalf of Arvind Walia (RE: related document(s) 53 Motion for Summary Judgment filed by Plaintiff Howard M Ehrenberg) (Rosen, Sanford) (Entered: 03/02/2023)
03/02/2023	69	Affidavit in Opposition of <i>Sanford P. Rosen in Opposition to Plaintiff's Motion for Summary Judgment</i> Filed by Eugene Ronald Scheiman, Sanford P Rosen on behalf of Arvind Walia (RE: related document(s) 53 Motion for Summary Judgment filed by Plaintiff Howard M Ehrenberg) (Rosen, Sanford) (Entered: 03/02/2023)
03/10/2023	70	<i>Reply of Defendants Arvind Walia and Niknim Management Inc. in Support of Motion for Partial Summary Judgment Dismissing Certain Claims Asserted in the Complaint</i> Filed by Sanford P Rosen on behalf of Arvind Walia (RE: related document(s) 52 Motion for Summary Judgment filed by Defendant Arvind Walia) (Rosen, Sanford) (Entered: 03/10/2023)

03/10/2023	71	Objection and Request to Strike the Affidavit of Arvind Walia Submitted in Opposition to Plaintiff's Motion for Summary Judgment, or in the Alternative, Summary Adjudication Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (RE: related document(s) 64 Motion for Summary Judgment filed by Defendant Arvind Walia) (Nolan, Jeffrey) (Entered: 03/10/2023)
03/10/2023	72	Reply Brief in Support of Motion for Summary Judgment, or in the Alternative, Summary Adjudication as Against Defendants Arvind Walia and Niknim Management, Inc. Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (RE: related document(s) 53 Motion for Summary Judgment filed by Plaintiff Howard M Ehrenberg, 64 Motion for Summary Judgment filed by Defendant Arvind Walia, 65 Motion for Summary Judgment filed by Defendant Arvind Walia, 68 Memorandum of Law in Opposition filed by Defendant Arvind Walia, 71 Objection filed by Plaintiff Howard M Ehrenberg) (Nolan, Jeffrey) (Entered: 03/10/2023)
03/10/2023	73	Affidavit in Support / Affidavit of Jeffrey P. Nolan in Support of Plaintiffs Motion for Summary Judgment, or in the Alternative, Summary Adjudication Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (RE: related document(s) 53 Motion for Summary Judgment filed by Plaintiff Howard M Ehrenberg) (Attachments: # 1 Exhibit 12 - Form 1120_Instructions # 2 Exhibit 13 - Walia Deposition Excerpts) (Nolan, Jeffrey) (Entered: 03/10/2023)
03/10/2023	74	Affidavit/Certificate of Service Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (RE: related document(s) 71 Objection filed by Plaintiff Howard M Ehrenberg, 72 Reply filed by Plaintiff Howard M Ehrenberg, 73 Affidavit in Support filed by Plaintiff Howard M Ehrenberg) (Nolan, Jeffrey) (Entered: 03/10/2023)
03/13/2023	75	Affidavit/Certificate of Service Filed by Sanford P Rosen on behalf of Arvind Walia (RE: related document(s) 64 Motion for Summary Judgment filed by Defendant Arvind Walia, 65 Motion for Summary Judgment filed by Defendant Arvind Walia, 66 Motion for Summary Judgment filed by Defendant Arvind Walia) (Rosen, Sanford) (Entered: 03/13/2023)
03/13/2023	76	Affidavit/Certificate of Service Filed by Sanford P Rosen on behalf of Niknim Management Inc. (RE: related document(s) 64 Motion for Summary Judgment filed by Defendant Arvind Walia, 65 Motion for Summary Judgment filed by Defendant Arvind Walia, 66 Motion for Summary Judgment filed by Defendant Arvind Walia) (Rosen, Sanford) (Entered: 03/13/2023)
03/13/2023	77	Affidavit/Certificate of Service of Defendants' Reply in Support of Motion for Partial Summary Judgment Filed by Sanford P Rosen on behalf of Arvind Walia (RE: related document(s) 51 Motion for Summary Judgment filed by Defendant Arvind Walia, 52 Motion for Summary Judgment filed by Defendant Arvind Walia, 53 Motion for Summary Judgment filed by Plaintiff Howard M Ehrenberg) (Rosen, Sanford) (Entered: 03/13/2023)
03/13/2023	78	Affidavit/Certificate of Service of Defendants' Reply in Support of Motion for Partial Summary Judgment Filed by Sanford P Rosen on behalf of Niknim Management Inc. (RE: related document(s) 51 Motion for Summary Judgment filed by Defendant Arvind Walia, 52 Motion for Summary Judgment filed by Defendant Arvind Walia) (Rosen, Sanford) (Entered: 03/13/2023)

03/21/2023	79	Letter <i>Regarding Completion of Briefing</i> Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (RE: related document(s) 49 Stipulation and Order, 51 Motion for Summary Judgment filed by Defendant Arvind Walia, 52 Motion for Summary Judgment filed by Defendant Arvind Walia, 53 Motion for Summary Judgment filed by Plaintiff Howard M Ehrenberg, 54 Statement of Undisputed Facts filed by Plaintiff Howard M Ehrenberg, 55 Affidavit in Support filed by Plaintiff Howard M Ehrenberg, 56 Affidavit in Support filed by Plaintiff Howard M Ehrenberg, 57 Affidavit in Support filed by Plaintiff Howard M Ehrenberg, 58 Statement filed by Plaintiff Howard M Ehrenberg, 60 Objection filed by Plaintiff Howard M Ehrenberg, 61 Response filed by Plaintiff Howard M Ehrenberg, 62 Affidavit in Support filed by Plaintiff Howard M Ehrenberg, 64 Motion for Summary Judgment filed by Defendant Arvind Walia, 65 Motion for Summary Judgment filed by Defendant Arvind Walia, 66 Motion for Summary Judgment filed by Defendant Arvind Walia, 67 Affirmation in Opposition filed by Defendant Arvind Walia, 68 Memorandum of Law in Opposition filed by Defendant Arvind Walia, 69 Affirmation in Opposition filed by Defendant Arvind Walia, 70 Reply filed by Defendant Arvind Walia, 71 Objection filed by Plaintiff Howard M Ehrenberg, 72 Reply filed by Plaintiff Howard M Ehrenberg, 73 Affidavit in Support filed by Plaintiff Howard M Ehrenberg) (Nolan, Jeffrey) (Entered: 03/21/2023)
03/22/2023		Hearing Held and Adjourned; Appearances: Sanford P Rosen, Eugene Ronald Scheiman, Jeffrey Nolan. Pre-Trial Conference set for 06/28/2023 at 12:00 PM at Courtroom 960 (Judge Trust), CI, NY. COURT TO ISSUE TRIAL SCHEDULING ORDER; LETTER OF ADJOURNMENT TO BE FILED (ymm) (Entered: 03/23/2023)
03/23/2023	80	Letter of Adjournment: Hearing rescheduled from March 22, 2023 at 12:00 p.m. to June 28, 2023 at 12:00 p.m. Filed by Howard M Ehrenberg (related document(s)). (Nolan, Jeffrey) (Entered: 03/23/2023)
06/28/2023		Adjourned Without Hearing Pre-Trial Conference set for 10/24/2023 at 02:30 PM at Courtroom 960 (Judge Trust), CI, NY. (ymm) (Entered: 06/28/2023)
06/28/2023	81	Letter of Adjournment: Hearing rescheduled from June 28, 2023 at 12:00 p.m. to October 24, 2023 at 2:30 p.m. Filed by Howard M Ehrenberg (related document(s)). (Nolan, Jeffrey) (Entered: 06/28/2023)
10/24/2023		Hearing Held and Adjourned; Appearances: Sanford P Rosen, Eugene Ronald Scheiman, Jeffrey Norlan. Pre-Trial Conference set for 11/14/2023 at 02:00 PM at Courtroom 960 (Judge Trust), CI, NY. LETTER OF ADJOURNMENT TO BE FILED (ymm) (Entered: 10/31/2023)
10/26/2023	82	Letter of Adjournment: Hearing rescheduled from October 24, 2023 at 2:30 p.m. (prevailing Eastern Time) to November 14, 2023 at 2:00 p.m. (prevailing Eastern Time) Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg. (Nolan, Jeffrey) (Entered: 10/26/2023)
11/13/2023	83	Letter of Adjournment: Hearing rescheduled from November 14, 2023 at 2:00 p.m. (prevailing Eastern Time) to January 23, 2024 at 2:00 p.m. (prevailing Eastern Time) Filed by Howard M Ehrenberg (related document(s) 82). (Nolan, Jeffrey) (Entered: 11/13/2023)

11/14/2023		Adjourned Without Hearing Pre-Trial Conference set for 01/23/2024 at 02:00 PM at Courtroom 960 (Judge Trust), CI, NY. (ymm) (Entered: 11/14/2023)
01/05/2024	84	Response <i>Defendants' Corrected Affidavit in Opposition to Plaintiff's Motion for Summary Judgment</i> Filed by Sanford P Rosen on behalf of Arvind Walia (RE: related document(s) 53 Motion for Summary Judgment filed by Plaintiff Howard M Ehrenberg) (Rosen, Sanford) (Entered: 01/05/2024)
01/05/2024	85	Affirmation in Opposition of <i>Sanford P. Rosen in Opposition to Plaintiff's Motion for Summary Judgment</i> Filed by Sanford P Rosen on behalf of Arvind Walia (Rosen, Sanford) (Entered: 01/05/2024)
01/12/2024	86	Affidavit/Certificate of Service of (i) <i>Affirmation of Sanford P. Rosen in Support of Defendants Opposition to Plaintiffs Motion for Summary Judgment</i> and (ii) <i>Defendants Corrected Affidavit in Opposition to Plaintiffs Motion for Summary Judgment</i> Filed by Sanford P Rosen on behalf of Arvind Walia (RE: related document(s) 53 Motion for Summary Judgment filed by Plaintiff Howard M Ehrenberg) (Rosen, Sanford). Related document(s) 84 Response filed by Defendant Arvind Walia, 85 Affirmation in Opposition filed by Defendant Arvind Walia. Modified to add links #84 & 85 on 1/12/2024 (caf). (Entered: 01/12/2024)
01/23/2024		Hearing Held and Adjourned; Appearances: Sanford P Rosen, Jeffrey P Nolan. Pre-Trial Conference (ZOOM) set for 02/27/2024 at 02:00 PM at Courtroom 960 (Judge Trust), CI, NY. PARTIES TO ARGUE SUMMARY MOTION (ymm) (Entered: 01/25/2024)
01/25/2024	87	Letter of Adjournment: Hearing rescheduled from January 23, 2024 to February 27, 2024 Filed by Howard M Ehrenberg. (Nolan, Jeffrey) (Entered: 01/25/2024)
02/16/2024	88	Letter to the Court Regarding <i>Defendants' Intention to Proceed at the Hearing of February 27, 2024</i> Filed by Sanford P Rosen on behalf of Arvind Walia (RE: related document(s) 51 Motion for Summary Judgment filed by Defendant Arvind Walia, 53 Motion for Summary Judgment filed by Plaintiff Howard M Ehrenberg) (Rosen, Sanford) (Entered: 02/16/2024)
02/16/2024		Ruling Conference (by Zoom) scheduled for 3/6/2024 at 01:30 PM at 271-C Cadman Plaza East, Brooklyn, NY 11201 Chief Judge Trust's Courtroom on the 3th floor, Room 3554. (RE: related document(s) 51 Motion for Summary Judgment filed by Defendant Arvind Walia) (ymm). (Entered: 02/26/2024)
02/21/2024	89	Letter of Adjournment: Hearing rescheduled from February 27, 2024 at 1:30 p.m. to March 6, 2024 at 1:30 p.m. Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (Nolan, Jeffrey) (Entered: 02/21/2024)
02/27/2024		Adjourned Without Hearing Pre-Trial Conference set for 03/06/2024 at 01:30 PM at Courtroom 3554 (Judge Feller), Brooklyn, NY. (ymm) (Entered: 03/05/2024)
03/05/2024	90	Letter of Adjournment: Hearing rescheduled from March 6, 2024 at 1:30 p.m. to March 14, 2024 at 2:00 p.m. Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (Nolan, Jeffrey) (Entered: 03/05/2024)
03/06/2024		Adjourned Without Hearing Pre-Trial Conference (via Zoom) set for 03/14/2024 at 02:00 PM at Courtroom 960 (Judge Trust), CI, NY. (ymm) (Entered: 03/06/2024)

		03/06/2024)
03/06/2024		Adjourned Without Hearing 'Hearing (via Zoom) scheduled for 03/14/2024 at 02:00 PM at Courtroom 960 (Judge Trust), CI, NY.(RE: related document(s) 51 Motion for Summary Judgment Filed by Defendant Arvind Walia) (ymm) (Entered: 03/06/2024)
03/14/2024		Adjourned Without Hearing Pre-Trial Ruling Conference set for 04/10/2024 at 11:00 AM at Courtroom 960 (Judge Trust), CI, NY. MATTER SUBMITTED; LETTER OF ADJOURNMENT TO BE FILED (ymm) (Entered: 03/15/2024)
03/14/2024		Adjourned Without Hearing 'Ruling Conference scheduled for 04/10/2024 at 11:00 AM at Courtroom 960 (Judge Trust), CI, NY.(RE: related document(s) 51 Motion for Summary Judgment Filed by Defendant Arvind Walia) MOTION SUBMITTED; LETTER OF ADJOURNMENT TO BE FILED (ymm) (Entered: 03/15/2024)
04/05/2024	91	Letter of Adjournment: Hearing rescheduled from March 14, 2024 at 2:00 p.m. to April 10, 2024 at 11:00 a.m. Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (Nolan, Jeffrey) (Entered: 04/05/2024)
04/10/2024		Hearing Held; Appearances: Jeffrey Nolan, Sanford Rosen, Anthony Guliano, Eugene Scheiman, Howard Ehrenberg. (RE: related document(s) 1 Complaint Filed by Plaintiff Howard M. Ehrenberg) COURT TO ISSUE TRIAL SCHEDULING ORDER (alh) (Entered: 04/10/2024)
04/10/2024		Hearing Held; Appearances: Jeffrey Nolan, Sanford Rosen, Anthony Guliano, Eugene Scheiman, Howard Ehrenberg. (RE: related document(s) 51 Motion for Summary Judgment Filed by Defendant Arvind Walia) MOTION DENIED IN PART AND GRANTED IN PART AS PER TERMS STATED ON THE RECORD. PARTIES ARE DIRECTED TO MEDIATION. PARTIES TO SUBMIT ORDER. COURT TO ISSUE TRIAL SCHEDULING ORDER (alh) (Entered: 04/10/2024)
04/16/2024	92	Adversary Pretrial Scheduling Order. Ordered, Pre-Trial Conference set for 7/17/2024 at 01:30 PM at Courtroom 960 (Judge Trust), CI, NY. Trial date set for 7/24/2024 at 09:30 AM at Courtroom 960 (Judge Trust), CI, NY. The parties shall submit any direct testimony from themselves and any witness under their control (including experts) by Affidavit signed by the witness(es). Affidavits shall be filed with the Court no later than July 10, 2024. Any objection to any portion of a witness affidavit, including evidentiary objections, shall be filed no later than July 12, 2024. The parties are directed to return to mediation. The mediation shall conclude on or before May 10, 2024. The mediator shall file a report of mediation on or before May 24, 2024. (RE: related document(s) 1 Complaint filed by Plaintiff Howard M Ehrenberg). Signed on 4/16/2024 (ylr) (Entered: 04/17/2024)
04/18/2024	93	Notice of Submission of Proposed Order Filed by Howard M Ehrenberg (related document(s) 53). (Nolan, Jeffrey) (Entered: 04/18/2024)
04/18/2024	94	Entered in Error- Please See Below-Letter <i>re Proposed Order</i> Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (RE: related document(s) 93 Notice of Submission of Proposed Order filed by Plaintiff Howard M Ehrenberg) (Nolan, Jeffrey) Modified on 4/19/2024 (ylr). (Entered: 04/18/2024)

04/18/2024	95	Letter <i>re Proposed Order</i> Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (RE: related document(s) 93 Notice of Submission of Proposed Order filed by Plaintiff Howard M Ehrenberg) (Nolan, Jeffrey) (Entered: 04/18/2024)
04/19/2024	96	BNC Certificate of Mailing with Application/Notice/Order Notice Date 04/19/2024. (Admin.) (Entered: 04/20/2024)
04/22/2024	97	Ordered Ordered The portion the Motion to avoid the First Transfer made on April 15, 2016 in the amount of \$2,500,000 is DENIED with respect to Plaintiffs First Cause of Action to Avoid an Intentionally Fraudulent Transfer, and Second Cause of Action to Avoid a Constructively Fraudulent Transfer as a factual issue remains to be determined at trial. The portion of the Motion to avoid the Second Transfer made on June 23, 2017, in the amount of \$1,520,000 is GRANTED. As to Defendant Arvind Walia, the Motion is DENIED as to the Second Transfer, as a factual issue remains to be determined at trial. Plaintiff has failed to establish that, as a matter of law, Judgment awarded in favor of Plaintiff should be rendered against Defendants jointly and severally on the theory of alter ego liability. In that regard, that portion of the Motion is DENIED. The Cross-Motion is DENIED. (RE: related document(s) 51 Motion for Summary Judgment filed by Defendant Arvind Walia, 53 Motion for Summary Judgment filed by Plaintiff Howard M Ehrenberg, 61 Response filed by Plaintiff Howard M Ehrenberg, 62 Affidavit in Support filed by Plaintiff Howard M Ehrenberg, 70 Reply filed by Defendant Arvind Walia). Signed on 4/22/2024 (ylr) (Entered: 04/23/2024)
04/25/2024	98	BNC Certificate of Mailing with Application/Notice/Order Notice Date 04/25/2024. (Admin.) (Entered: 04/26/2024)
05/02/2024	99	Notice of Appeal to District Court. <i>of ORDER GRANTING AND DENYING IN PART PLAINTIFFS MOTION FOR SUMMARY JUDGMENT/SUMMARY ADJUDICATION AND DENYING DEFENDANTS ARVIND WALIA AND NIKNIM MANAGEMENT, INC. CROSSMOTION FOR SUMMARY JUDGMENT; RULING ON EVIDENTIARY OBJECTIONS; AND ESTABLISHING FACTS AS ADMITTED IN THE CASE PURSUANT TO FRCP 56(g) [Docket No. 97].</i> . Fee Amount \$298 Filed by Eugene Ronald Scheiman, Sanford P Rosen on behalf of Niknim Management Inc. (RE: related document(s) 97 Generic Order). Appellant Designation due by 05/16/2024. Transmission of Designation to District Court Due by 06/3/2024. (Rosen, Sanford) (Entered: 05/02/2024)
05/02/2024		Receipt of Notice of Appeal(8-20-08049-ast) [appeal,ntcap] (298.00) Filing Fee. Receipt number A22597492. Fee amount 298.00. (re: Doc# 99) (U.S. Treasury) (Entered: 05/02/2024)
05/02/2024	100	Amended Notice of Appeal to District Court: Attachment of order appealed from Filed by Eugene Ronald Scheiman, Sanford P Rosen on behalf of Niknim Management Inc. (RE: related document(s) 99 Notice of Appeal filed by Defendant Niknim Management Inc.). (Attachments: # 1 ORDER GRANTING AND DENYING IN PART PLAINTIFFS MOTION FOR SUMMARY JUDGMENT/SUMMARY ADJUDICATION AND DENYING DEFENDANTS ARVIND WALIA AND NIKNIM MANAGEMENT, INC. CROSSMOTION FOR SUMMARY JUDGMENT; RULING ON EVIDENTIARY OBJECTIONS; AND ESTABLISHING FACTS AS AD)(Rosen, Sanford) (Entered: 05/02/2024)
05/03/2024	101	Appeal Deficiency Notice (RE: related document(s) 99 Notice of Appeal filed by Defendant Niknim Management Inc.) (alh) (Entered: 05/03/2024)

05/03/2024	102	Notice to Parties of Requirements, Deadlines (RE: related document(s) 99 Notice of Appeal filed by Defendant Niknim Management Inc.) (alh) (Entered: 05/03/2024)
05/03/2024	103	Court's Service List (RE: related document(s) 102 Notice to Parties AP) (alh) (Entered: 05/03/2024)
05/03/2024	104	Transmittal of Notice of Appeal to District Court (RE: related document(s) 97 Generic Order, 99 Notice of Appeal filed by Defendant Niknim Management Inc., 100 Amended Notice of Appeal filed by Defendant Niknim Management Inc.) (Attachments: # 1 Adversary Proceeding Docket) (alh) (Entered: 05/03/2024)
05/03/2024	105	Civil Cover Sheet Filed by Eugene Ronald Scheiman, Sanford P Rosen on behalf of Niknim Management Inc. (RE: related document(s) 99 Notice of Appeal filed by Defendant Niknim Management Inc.). (Rosen, Sanford) (Entered: 05/03/2024)
05/03/2024	106	Notice of Appeal to District Court. <i>Second Amended</i> . Fee Amount \$298 Filed by Eugene Ronald Scheiman, Sanford P Rosen on behalf of Niknim Management Inc. (RE: related document(s) 97 Generic Order). (Attachments: # 1 ORDER GRANTING AND DENYING IN PART PLAINTIFFS MOTION FOR SUMMARY JUDGMENT/SUMMARY ADJUDICATION AND DENYING DEFENDANTS ARVIND WALIA AND NIKNIM MANAGEMENT, INC. CROSSMOTION FOR SUMMARY JUDGMENT; RULING ON EVIDENTIARY OBJECTIONS; AND ESTABLISHING FACTS AS AD)(Rosen, Sanford) Modified on 5/6/2024 (one). (Entered: 05/03/2024)
05/05/2024	107	BNC Certificate of Mailing with Notice/Order Notice Date 05/05/2024. (Admin.) (Entered: 05/06/2024)
05/05/2024	108	BNC Certificate of Mailing with Application/Notice/Order Notice Date 05/05/2024. (Admin.) (Entered: 05/06/2024)
05/05/2024	109	BNC Certificate of Mailing with Application/Notice/Order Notice Date 05/05/2024. (Admin.) (Entered: 05/06/2024)
05/05/2024	110	BNC Certificate of Mailing with Application/Notice/Order Notice Date 05/05/2024. (Admin.) (Entered: 05/06/2024)
05/06/2024	111	Transmittal of Additional Record on Appeal to District Court in reference to Civil Case Number: N/A (RE: related document(s) 105 Civil Cover Sheet filed by Defendant Niknim Management Inc., 106 Notice of Appeal filed by Defendant Niknim Management Inc.) (Attachments: # 1 Bankruptcy Docket Sheet) (one) (Entered: 05/06/2024)
05/06/2024	112	Notice of Docketing Record on Appeal to District Court. Civil Action Number: 24-cv-03330 District Court Judge Gary R. Brown assigned. (RE: related document(s) 99 Notice of Appeal filed by Defendant Niknim Management Inc., 106 Notice of Appeal filed by Defendant Niknim Management Inc.) (one) (Entered: 05/06/2024)
05/06/2024		Receipt of Notice of Appeal(8-20-08049-ast) [appeal,ntcapl] (298.00) Filing Fee. Receipt number Duplicate payment. Fee amount 298.00. (re: Doc# 106) (Moffett) (Entered: 05/06/2024)

05/15/2024	113	Letter to the Honorable Alan S. Trust Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (RE: related document(s) 92 Scheduling Order) (Nolan, Jeffrey) (Entered: 05/15/2024)
05/16/2024	114	Appellant Designation of Contents For Inclusion in Record On Appeal & Statement of Issues Filed by Eugene Ronald Scheiman, Sanford P Rosen on behalf of Niknim Management Inc. (RE: related document(s) 99 Notice of Appeal filed by Defendant Niknim Management Inc., 100 Amended Notice of Appeal filed by Defendant Niknim Management Inc., 105 Civil Cover Sheet filed by Defendant Niknim Management Inc., 106 Notice of Appeal filed by Defendant Niknim Management Inc.). Appellee designation due by 05/30/2024. (Rosen, Sanford) (Entered: 05/16/2024)
05/16/2024	115	Notice of Submission of Proposed Order Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (RE: related document(s) 97 Generic Order) (Attachments: # 1 Exhibit Proposed Order) (Nolan, Jeffrey) (Entered: 05/16/2024)
05/16/2024	116	Affidavit/Certificate of Service of Notice of Submission of Judgment Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (RE: related document(s) 115 Notice of Submission of Proposed Order filed by Plaintiff Howard M Ehrenberg) (Nolan, Jeffrey) (Entered: 05/16/2024)
05/22/2024	117	Partial Judgment Against Niknim Managment, Inc. It is Hereby Ordered that Judgment is entered against defendant, Niknim Management Inc. and in favor of Plaintiff, Howard M Ehrenberg, the duly appointed Liquidating Trustee for OrionHealthcorp., Inc., in the amount of \$1,520,000 in principal plus costs of suit of \$350.00 and prejudgment interest calculated from the from the date of the filing of the Complaint on March 13, 2020, to judgment, (1,524 days) as allowed by the applicable statutory interest rate(RE: related document(s) 97 Generic Order). Signed on 5/22/2024 (ylr) (Entered: 05/22/2024)
05/24/2024	118	BNC Certificate of Mailing with Application/Notice/Order Notice Date 05/24/2024. (Admin.) (Entered: 05/25/2024)
05/30/2024	119	Letter re Continuanace of Trial Filed by Jeffrey P Nolan on behalf of Howard M Ehrenberg (Nolan, Jeffrey) (Entered: 05/30/2024)
05/30/2024	120	Letter Regarding Scheduling of Mediation Filed by Sanford P Rosen on behalf of Niknim Management Inc. (RE: related document(s) 92 Scheduling Order) (Rosen, Sanford) (Entered: 05/30/2024)
05/30/2024	121	Transcript & Notice regarding the hearing held on 05/22/22. Pursuant to the new policy adopted by the Judicial Conference, transcripts are available for inspection only at the Office of the Clerk or may be purchased from the court transcriber. [Please see the court's website for contact information for the Transcription Service Agency].. Notice of Intent to Request Redaction Due By 06/6/2024. Redaction Request Due By 06/20/2024. Redacted Transcript Submission Due By 07/1/2024. TRANSCRIPT ACCESS WILL BE ELECTRONICALLY RESTRICTED THROUGH 08/28/2024 AND MAY BE VIEWED AT THE OFFICE OF THE CLERK. (Veritext) (Entered: 05/30/2024)

